

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PETER LINDNER,

Plaintiff

-against-

COURT SECURITY OFFICER (CSO) NEWELL, CSO  
MUSCHITIELLO, CSO JOHN DOE #1, CSO JOHN DOE #2, 2ND  
CIRCUIT COURT OF APPEALS CLERK MARGARET LAIN,  
ASSISTANT US MARSHAL (USM) JAMES HOWARD , USM  
BRIAN MURPHY, USM BETTY ANN PASCARELLA, WITNESS  
SECURITY S. JONES, CONGRESSIONAL AFFAIRS CHIEF D.  
DISRUD, US ATTORNEY PREET BHARARA, USM JOSEPH R.  
GUCCIONE,

Defendants

**Civil Action No. 11 cv 08365  
(AJN-MHD)**

MOTION TO RECONSIDER  
AND PLAINTIFF RESPONSE TO  
AUSA COVERUP AND  
VIOLATION OF NY STATE  
LAW ON INTENT TO DECEIVE  
THE COURT, ATTACHMENTS  
OF SWORN NOTARIZED  
SIGNATURE OF PLAINTIFF

~~Was: Thursday, March 28, 2013 11:20 AM~~

~~Is: Tuesday, April 09, 2013 11:00 PM~~

~~Was: Thursday, March 28, 2013 11:20 AM~~

~~Is: Tuesday, April 09, 2013 11:00 PM~~

Is: Friday, April 12, 2013 4:04 PM

**To USDJ Nathan:** ..... 1  
**Excel Spreadsheet of Hearsay & Evidence** ..... 2

**To USDJ Nathan:**

Here is Part 2 of 2 to Document 92, as requested by Pacer staff 4/12/2013. It is an excel spreadsheet, which is better shown in other exhibits.

Humbly and sincerely,

By: \_\_\_/s/ Peter Lindner\_\_\_\_\_ Dated: New York, NY the 12<sup>th</sup> Day of April , 2013

Peter Lindner

Plaintiff, *Pro Se*

1 Irving Place, Apt. G-23-C  
New York, New York 10003

Home/ Fax: 212-979-9647

Cell: 917-207-4962

Email: [nyc10003@nyc.rr.com](mailto:nyc10003@nyc.rr.com)

Excel Spreadsheet of Hearsay & Evidence

4/7/2013 7:38 P M Lindner's Allegations that are proven or could be proven with subpoenas

Law?	Number	type	Incident	proof	date	document	doc description
18 USC 1512(b)(3)	1	witness	USDU Sullivan violated 18 USC 1512(b)(3) by threatening Lindner w/ Contempt of Court for communication to a federal law enforcement officer about a possible federal crime	yes			
	2	witness	USMS Guccione wrongly gave witness information to subject	yes			
18 USC 1512(b)(3)	3	witness	Someone tampered with my mail to 2nd Circuit Court of Appeal by routing to SDNY	yes			stamped envelope w/ SDNY and USMS
perjury	4	witness	USMS General Counsel wrote "under the penalty of perjury" two inconsistent statements	yes		# 40 and other doc unnumbered	
perjury and 18 USC 1512(b)(3)	5	hearsay	CI (Confidential Informant) approached in SDNY Courthouse area while awaiting to testify in a criminal trial for the AUSA by 3 men. Men wanted CI to perjure self to say that Lindner threatened USDU Sullivan. And threatened reprisals if CI did not go along	If subpoena allowed	2010-2011		
malicious "dirty tricks"	6	hearsay	CI asked to plant child porn on Lindner PC	If subpoena allowed	2010-2012		
18 USC 1512(b)(3)	7	hearsay	CI told to not speak to Lindner about CI's instructions from DEA/ATF	If subpoena allowed			

Law?	Number	type	Incident	proof	date	document	doc description
18 USC 1512(b)(3)	8	hearsay	CI's mother was allegedly called by Congresswoman Carolyn Maloney's office regarding Lindner				
	9	witnessed	NYPD 13th Pct cops yell at Lindner in lobby of Lindner's Condo Bldg. and when worn an realtor objects by saying "Don't yell at this gentleman", the cops say "You don't know what we know about him"				
	10	hearsay	NYPD 13th Pct cops threaten witness with arrest on same day at Lobby of Condo Building	if subpoena allowed			
	11	hearsay	CI recognizes NYPD 13th Pct Det Brehm from undercover work	if subpoena allowed			
	12	hearsay	CI told to refer to Lindner as "Benedict Arnold"	if subpoena allowed			
	13	witnessed	CI gives ID to Lindner to hold for (1 day or 1 week)	affidavit			
	14	witnessed	CI demands ID back and calls police via 911 saying I refused to give it back; despite that Lindner promised to give a 1 week metrocard	911 logs; NYPD 13th Pct logs			
	15	hearsay	CI later admits that DEA/ATF told CI to say to police that Lindner stole the ID				
4th Amendment	16	witnessed	CSO Newell hit Lindner in head with his nameplate		2010		
18 USC 1512(b)(3)	17	hearsay	DEA/ATF agent ripped up CI's form for FOIA		2012-2013		
	18	speculation	DEA/ATF agent did not pass on CI's form for FOIA to the USMS General Counsel		2013		
lying to to USMS and 18 USC 1512(b)(3)	19	witnessed	CSO Newell apologized in front of CSO Muschietello for hitting Lindner in head	if subpoena allowed			
4th Amendment	20	hearsay	Lindner phone is tapped, according to CI	if subpoena allowed	2010-2013		

Law?	Number	type	Incident	proof	date	document	doc description
	21	hearsay	CI actually works for DEA/ATF	if subpoena allowed			
	22	hearsay	DEA/ATF falsely told CI that Lindner went through CI's phone	if subpoena allowed			
	23	hearsay	DEA/ATF falsely told CI that Lindner called CI's contacts methodically (from #22) to tell them that she is a CI	if subpoena allowed			
	24	hearsay	DEA/ATF falsely told CI that they had proof but could not reveal it that Lindner went through CI's phone	if subpoena allowed			
18 USC 1512(b)(3)	25	hearsay	DEA/ATF offered \$100k to CI to turn against Lindner	if subpoena allowed			
18 USC 1512(b)(3)	26	hearsay	DEA/ATF offered methamphetamine to CI to postpone CI from writing an affidavit	if subpoena allowed			
	27	witnessed	AUSA refused to meet with Lindner as to CI	yes			
due process	28	witnessed	FBI refused to take complaint from Lindner on witness tampering from IBM case	if subpoena allowed	2010-2012		
due process	29	witnessed	DEA/ATF refused to meet with Lindner to talk about CI	if subpoena allowed			
	30	hearsay	USM lied when he said there were no videotapes				
due process	31	witnessed	USM lied when they said they conducted an investigation, and did not confront USM Muschitello, who probably would not perjure himself when a tape exists, and when Muschitello did no wrong	if subpoena allowed			